Mearst papers that now form a part of the record in the case.

"Among all the quotations from the Hearst papers set out in Mr. Lemmon's director of the Council of Defence and State Food Administrator) affidavit, can be characterized as patriotic, or which can be regarded as unfriendly to the Central Powers. True, all of the charges are made against the Hearst papers collectively; 'The Examiner' (San Francisco) is not specifically accused of uttering seditious sentiments; but 'The Examiner' is a Hearst paper.

All these bodies are getting effectively in each other's way. Any one of them may wreck the work of the record in the case.

All these bodies are getting effectively in each other's way. Any one of them may wreck the work of all the others, even as the Department of Justice cut the communications of the Alien Property Custodian.

But only one of these fifteen agencies has the single essential power—the power of adequate prosecution.

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But only one of these fifteen agencies has the single fore it relating the question for settlement upon he was sent. On September 22, 1918, he was sent. On September 22, 1918, he was reassembling on November 8. The new insurance company income tax its reassembling on November 8. The new insurance company income tax is reassembling on November 8. The

Looks for Denial in Vain .

Looks for Denial in Vain

"I have searched carefully, but in vain, through the entire record for any express denial or disavowal of the sentiments expressed in the excerpts from the Hearst papers.

"This leaves in my mind a painful impression. Are the extraordinary powers of this court being invoked for the protection of complainants and their business, and for no other reason? This impression is not affected or effaced by the suggestion that many of the alleged utterances appear to have been made before entrance into the war, and therefore at a time when there was no espionage act.

therefore at a time when there was no espionage act.

"We must bear in mind that the espionage act is the test of criminal sedition, not the measure of loyalty. Some expression of disapproval, some assurance that it is patriotically supporting the government, and will continue to do so, and that no utterances like those quoted in Lemmon's affidavit will appear in its publications, would not seriously transgress the proprieties, even though it be conceded that complainant's loyalty is not a legal issue

Violate Anti-Trust Act Violate Anti-Trust Act
Judge Farrington held that the State
Council of Defence's resolution declaring the Hearst newspapers to be unpatriotic and advising Nevada newsdea ars not to handle them under pain
of Loing deemed guilty of disloyalty
would be contrary to the provisions of
the anti-trust act. He, therefore, grantad a temperary injunction preventing

"I am satisfied that the members of the Council of Defence were actuated by no wanton or malicious purpose to injure the complainant or its property. Their design was and is to suppress what they deem to be insidious German propaganda. In doing this they have unfortunately adopted a method which the law forbids."

army officers, who are most effective in apprehending them.

As things stand, however—
The Military Intelligence has no power to prosecute, or arrest, or even command the presence of witnesses, except when the spy is

Syracuse Man Escapes

AMSTERDAM, Oct. 11.—Myron Schinbergh, of Syracuse. N. Y., a fugitive from occupied Belgium, reached Dutch territory yesterday. He was the owner of a factory in Brussels, and was court martialled by the Germans for destroying some machinery. With some others he fled from Brussels, cut the electric wire at a frontier point north of Antwerp and reached safety with his companions in an exhausted condition.

That power is lodged solely in the Department of Justice—which cannot shoot spies.

Therefore, a spy is safe from the penalty common in all civilized countries, unless he is taken in uniform or on military ground.

The Ordinary Spy

The Weather Report

Local Official Record.—The following official record from the Weather Bureau shows temperature furing the last twenty-four hours, in comparison with the corresponding date of the comparison of

. 65 | 1 p. m

2444274

Baromoter Readings m., 36.16 | 1 p.-m., 36.15 | 8 p. m., 30.23

HOTEL

Spy, Spy, Who committing treason, he is entitled to:

even though it be conceded that complainant's loyalty is not a legal issue in this proceeding.

"Any one who gives systematic expression to and intends to continue the sort of propaganda alleged in the Lemmon affidavit must expect disapproval and opposition, and that efforts will be made to restrain the publication of such sentiments."

The conflict and confusion between the bureaus reach their climax in the relations between the two most important agencies—the Department of Justice and the Army Intelligence. For here it involves not only confusion and duplication of effort in running description. most important agencies-the Deof effort in running down spies and and fundamental error in the re-

the anti-trust act. He, therefore, granted a temporary injunction preventing the Council of Defence from barring publications pending a final decision. In this connection, the court said:

"It is understood, however, that this order in no wise restrains the defendants from seeking to enforce the provisions of the espionage act in the manner provided by law, whenever on by whomever it may be violated."

Judge Farrington has taken the position that the Council of Defence, in attempting to exclude the Hearst publications from the state, was usurping the powers of the courts or the Postmaster General.

ure of the Administration to consolidate, under powers conferred by the Overman act, the pursuit of the dangerous enemy alien in a single bureau.

Responsibility for the fundamental error of the helplessness of the proper forces to protect the arms of the United States rests in the President's personal intervention to secure the defeat of the Chamberlain court martial bill, Chamberlain court martial bill, The court expressed the opinion that the state council was not actuated by malicious motives. On this point the army officers, who are most effective

The Military Intelligence has no Our Logical Method makes pupils SPEAK even command the presence of witnesses, except when the spy is caught in uniform or on a military.

AIRPLANE MECHANICS.—Instruction day or evening; qualifying for Government or detectory work. Send for booklet and pages. West Side Y. M. C. A., 317 West 57th st. caught in uniform or on a military reservation.

The Ordinary Spy Has Little to Fear

The result is that a spy in civil environment is safe because-

1. He cannot be shot. . 2. He cannot be tried, unless he has broken a civil law, in which case he is entitled to bail-and to continue his activity.

3. The worst that can happen to him is a comfortable internment.

4. Even when interned he may be-and very often is-paroled and thrust back on the community to which he was a danger.

Lecel Official Forceast.—Fair to day and to more criminal is a citizen engaged in sedi-

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larseilles. Moderate Prices.

1. Trial by jury

By a change made to-day public service corporations will be required to make what are known as consolidated returns; that is, where two or more pends on laws enacted at its request, which utterly fail to curb the full activities of the German spy. The espionage act of June 15, 1917, proved so inadequate that it had to be drastically amended. Yet the Department of Justice was content to wait almost a full year—till May 16, 1918. And even now, the law of the United States gives no pro-

tion, or trading with the enemy, or Officer Who Led 200,773 More Men

to wait almost a full year—till May 16, 1918. And even now, the law of the United States gives no protection whatever against the most venomous of enemy propaganda—lies about our allies.

The Net for Spies

Is Full of Holes

And this is the net through which 1250,000 dangerous enemy aliens are straying to and fro.

The conflict and confusion between the bureaus reach their climax in the relations between the two many constitutions are the relations between the two many cleark of the committee.

To day's amendment merely extends the regulations previously determined upon to the former class of corporations.

When the committee reconvenes it will have before it the first reprint of the bill since it began amending it. Because of the flood of demands for the thin committee reconvenes it will have before it the first reprint of the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Because of the flood of demands for the bill since it began amending it. Becau

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LOST-Masonic fob and charm on Oct. 50 somewhere between Hudson st. New York, a Arlingten, N. J.; finder will please return it John Manola, care of Runyma Fruit Co., Debrosses st. New York City. Heward.

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STORAGE NOTICES

FURNITURE AND TRUNKS LEFT IN Lahrheim's Storage by Miss Mohr, Kup-ski, Wallace, will be sold Nov. 11, 1918, at public auction. Lahrheim, 1490 Third aye.

MEETINGS

QUARTERLY MEETING of the American In attitute, Thursday, Nov. 7th, 1918, at 33 W 19th st., 8:30 P. M. E. F. MURDOCK, Sec. 3 FURNISHED ROOMS

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vided in these calls the total number of men inducted into military service under the draft will have passed the 3,000,000 mark, and the number of men in the United States army, in tse field or in training, will total more than

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IMPORTANT

APPLEGATE—Suddenly, in New York City, on Wednesday, October 30, 1918, Frank-M., ir., beloved son of Frank M., and Flor-ence J. Applegate. Funeral private.

ence J. Applegate, Funeral privace, ARNOLD Edward Murray, aged 8 years, son of Edward A. and Anna Arnold, on October 31, at 311 West 194th st. Inter-ment at the Gate of Heaven Cemetery at the convenience of family. BACH—Killed in action in France, October 5, Captain Joe S. Bach, U. S. A., aged 51, beloved husband of Estelle Sidenberg and

A of New York.

BAXTER - October 25, 1918, of brenchopneumonia, in foreign waters, in overseas
service, Seaman Cortlandt Bradford Baxter, U. S. N., son of Louise I, and the late
William Baxter, of Peckskill and Lake
Mohegan, aged 21 years.

Sunday, November 3, 19 n. m.

BENESCH—Bertha, Annadale, Staten Island,
wife of Louis Benesch and daughter of
George and Bertha Breidenbach, after a
short illness. Funeral Sunday, November
3, 1 p. m. Internent Lutheran Cemetery. 5, I p. m. Interment Lutheran Cemeery-BORDEN—Helen Reatrice, beloved daughter of Isabelle P. Carid and the late William Borden, suddenly, November I, in her 24th year. Services Monday evening, at 8:30 o'clock, Apartment 112, 445 Riverside Drive, Interment at convenience of family.

CARTER—William A., October 31, husband of Emma D. Carter (nee Burber), son of Samuel C. Carter, Military services Sun-day, 2 p. m., at late residence, 734 Ells-worth av., Jamaica, L. I.

COATS—In France with the American Expeditionary Forces, Wednesday, October 30, of pneumonia, Lieutenant Archibald Coats, only son of Alfred M. and Elizabeth Barnwell Coats, of Providence, R. L. aged 22 years.

CODY October 29, Nicholas V., son of the late Thomas F. and Mary H. Cody. Fu-neral Monday, 11 a. m., from Church of St. Ignatius Loyola, 84th at and Park av. COHEN—At his residence, after a brief illness, Stanley A. Cohen, beloved husband of Alice Hood Cohen, on November 2, 1918. Funeral services will be held at his lateresidence, 63 West 73d st., on Monday, November 4, at 10:30 o'clock. Please omit

Davis and son of Colonel and Mrs. Henry
G. Drout, of Nutley, N. J. Funeral at
Grace Church, Nutley, Monday, November
4, at 3:30 p. in.

CRUL—November 1, Geertinida J. H. Crul,
at the Chelsea Hotel, aged 35 years.

CUNNINGHAM—Atkins E., suddenly, of
pneumonia, Lieutenant Hoelved husband of the late Fanny King Reid, of Alms, Mich.

RENNE—Sarah E. Renne, at her residence.

205 West 107th st., Thursday, October 21,
Funeral service private.

SAFFEN—On Thursday, October 31, 191f,
at his residence, 299 Haucanot st., Ker
Rochelle, N. Y., James Thurles, below
husband of Georgianna, L. Saffen, in his
7th years, Funeral private.

SHEPHERD—Sarah Willet, widow of Cale
W. Shersheyd, on fourth day, tests menti-

be held at Surry, N. M.

DILLINGHAM—

Veterans of the 7th Regiment, N. G., N.

Y.—Announcement is made with regret of
the death of Charles T. Dillingham
(Fourth Company) on Wednesday, October
29, 1918. Austin E. Pressinger, Secre-

DOWD—On Friday, November 2. Helena Johnson Dowd, wife of Albert A. Dowd, of 572 South Broadway, Yonkers, in her 34th year. Funeral services and interment at Wilcox Cemetery, East Berlin, Conn., Monday, Hartford and Middletown (Conn.) papers please copy.

DIMONYCKAL Cotker 21. A. Seattle, Wash, Mary, second daughter of the control of t DUMONCEAU—October 31, Armande Du-monceau, Funeral Sunday, 1:30 o'clock.

monceau. Funeral Sunday, 1:30 o'clock. DUNCAN—On Friday. November 1, 1918.
Clara C. Duncan, daughter of the late
David and Harriet Duncan. Funeral services at her late home, 399 Grand av.,
Brooklyn, on Sunday, November 3, 2 p. m.
Interment private. ELSON At Brooklyn, October 20, 1918. Ernest B. Elson, beloved husband of Mar-garet Nash Elson, in his 35th year. Fu-neral private.

Ernest B. Elson, in his 36th year, meral private.

ERB—At Newark, N. J., November 1, 1918, Gustavus L. Ecb, in his 64th year, Funeral services at his late home, 53 Baldwin st., Newark, N. J., Sunday, P. m.—FIGGIS—Suddenly, on Tuesday, November 1, William, beleved husband of Theresa Agnes (nee Taylor). Funeral services at his late residence, 301 Jefferson av., Brooklyn, Sunday, November 3, at 3:30 p. m. Interment private.

FOX—November 1, Hugh Lewis Fox, aged FOX—November 1, Hugh Lewis Fox Aged FOX—November 1, Hugh Lewis Fox Aged FOX—November 1, Hugh Lewis Fox Aged FOX—November 2, Aged FOX—November 3, Aged

Interment private.

FOX—November 1, Hugh Lewis Fox, aged 75. Chapel Stephen Merritt Burial and Cremation Co., 161 8th av., corner 18th st. GALLUP—Suddenly, at Plainfield, N. J., on Friday, November 1, 1918, Mary Ella, wife of Arthur T. Gallup, aged 71 years. Services at her late residence, 551 West Front st., Plainfield, N. J., on Sunday, November 3, at 2:30 p. m.

GEE—On November 1, 1918, Hattie A., wife of William Gee, aged 31 years. Funeral service Sunday, 2 p. m. Interment Monday, Laurel Grove Cemetery, Paterson, N. J., at convenience of family. Paterson (N. J.) papers please copy.

GONZALEZ—Francisco Gonzalez y Acevedo,

GONZALEZ Francisco Gonzalez y Acevedo, beloved husband of Rafaela Gonzalez, on Thursday, October 31, in his 39th year. Funeral Sunday, November 3, at 10 a. m. Interment at Calvary. Cuba, Porto Rico and Spanish papers please copy.

Directly on the Hurkon River at North Tarry town, 25 miles out, for those seeking the advantage of a home whout, for those seeking the advantage commuting; Fall and Winter rates by the day of GROSS—

Brethren of Mount Neboh Lodge, 257,
F. and A. M., are summoned to attend
Masonic services of our late Brother Frank
Gross, at Beth-El Cemetery, Cypress Hills,
Sunday, 11 a. m. Adolph Bargser, Master.

HAY—November 2, Elizabeth Plaft Hay, wife
of the late Silas Condit Hay, in her 86th
year, Funeral at 104 Hamilton av. Englewood, N. J., on Tuesday, November 5,
at 2:30 p. m. at 2:30 p. m.

HEINRICH—Rose, aged 28, beloved wife of Milton Heinrich, on October 31, at her residence, 357 Tinton av. Funeral on Sunday, November 3, at 10 a. m.

DEATHS

JOHNSON—On Thursday, October 31.
Hon. Jesse Johnson, in his 78th year, neral services will be held at the Churthe Messiah, Greene av., corner of mont av., Brooklyn, on Sunday, Nove 3, at 2:30 p. m. Interment in Greene Cemetery.

JONES — On October 30, 1918, at Cold SF Harbor, L. L., of pneumonia, Philip ingston, son of the late Mary Eliza and Oliver Livingston Jones Funeral vate. Interment at Cold Spring Harb

KRAUTHOFF-

LIES Emma, beloved wife of Otto Lies, at her home, 591 Evergreen av., Brocklyn Wednesday, October 30, Funeral Sunday morning, 9:30 o'clock. LUETGE—On Sunday, October 27, at Zurich, Switzerland, William Luetge, father of Marie, Elisabeth Tiedemann and Harn Luetge, in the 68th year of his age.

MACDONALD Suddenly, on Friday, Newmber I, at her residence, 315 West 201 St., Mary Isabelle Byrnes, beloved wife of George MacDonald, Funeral on Model November 4, at 5:30 a. m., Regulem mar at Church of St. Gregory the Great, We 19th st., at 10 o'clock.

STERN—On October 29, 1918, Edwin Stern, beloved son of the late Jacob and Esstern and beloved brother of Louis, Jasse, Helena Schwarzman and Frances Berjie min and the late Clara Manheim and Materials of the Clara Manheim and

THROCKMORTON—At her brother's home, Seattle, Wash, Mary, second daughter of the late Edmund and Jane Throckmorton. Interment at Evergreen Cemetery, Eliza-beth, N. J.

VAN DUSEN—Killed in action in France, September 30, Lieutenant Edwin There Van Dusen, of 314th Infantry Machine Gun Company, son of Samuel Ball and Fannie Carlisle Van Dusen, of 5134 Morrists. Germantown, Philadelphia, in the 24th year of his age.

CEMETERIES

THE WOODLAWN CEMETERS. 3d St. By Harlem Train and by To Lots of small size for sale. Office, 20 East 23d St., N. Y.

RAIVES On Wednesday, Octobe

UNDERTAKERS

M'LAUGHLIN—Dennis A. 2235 Concourse died Friday, November 1, beloved husban of Ida Dunn. Requiem mass at Church. Our Lady of Mercy, Marion av. and Fonham Road, Monday, November 1, at 1, m. Interment Calvary. M'PARLAND Mary, on November 1. Services THE FUNERAL CHURCH, Bross way, 66th st. (Frank Campbell's), Monday, 10 a. m.

DAY - Elizabeth C., daughter of Mr. and Mrs. George A. Day, at Newfoundland, N. J., in her Sth year.

DEANE - On October 31, Velma Emity, of pneumonia, at her residence, 7 West 92t st. Funeral services and interment will be held at Surry, N. H.

DILLINGHAM - Widow of Carlo W. Shepherd, on fourth day, tenth month, fourth at 19 memory of the condition of the standard of the condition of the

tt. WENDT—On October 31, 1915, Arthur Wendt, in his 24th year, beloved husband of Arline Wendt and son of Anna Wendt, Funeral from his late residence, 252 8th av. Astoria, on Sunday, November 2, 24 2 p. m. Interment Lutheran Cemetery.

WHITAKER—On November 2, 1918, at Southold, N. Y., Hannah Muria Force Whitaker, widow of the Rev. Ephr Whitaker, widow of the Rev. William Force Whitaker, D. D. and mother of the late new results of the late and the second characteristics of the late and the late

E. BAILY Undertaker. Tel. Bryant 134

papers please copy.

WOODHEAD — Barlow, suddenly, Friday, November 1, 1918. Services Sunday evening.

8 o'clock, at his late residence, 539 Eat 6th st., New York. Foresters of Court Manhattan and members of Sylvan Grova

HOPPER-Passed into eternal rest on Tues-day, October 29, 1918, Louise Dorothy,